

## House Resolution 512

By: Representatives Watson of the 91<sup>st</sup>, Stephenson of the 92<sup>nd</sup>, Mosby of the 90<sup>th</sup>, Williams of the 89<sup>th</sup>, Mangham of the 94<sup>th</sup>, and others

## A RESOLUTION

- 1 Creating the House Community Living Services Study Committee; and for other purposes.
- 2 WHEREAS, it is the policy of this state to promote policies that place individuals in the  
3 appropriate level of care based on their individual needs; and
- 4 WHEREAS, it is the policy of this state to promote policies in favor of deinstitutionalization;  
5 and
- 6 WHEREAS, the policy of this state to protect the health, safety, and welfare of Georgia's  
7 persons and property would be best served by a uniform approach to the delivery of all  
8 community living services that fairly balances the needs of individuals with the needs of the  
9 community; and
- 10 WHEREAS, community living services are provided in personal care homes, adult  
11 community living arrangements, and child care institutions; and
- 12 WHEREAS, the Department of Human Resources contains four divisions (Public Health,  
13 Family and Children Services, Aging Services, and Mental Health, Developmental  
14 Disabilities, and Addictive Diseases) and three offices (Office of Regulatory Services, Office  
15 of Adoptions, and Office of Child Support Enforcement); and
- 16 WHEREAS, community living services are primarily delivered through the Office of Aging,  
17 and the Division of Mental Health, Developmental Disabilities, and Addictive Diseases; and
- 18 WHEREAS, the Office of Regulatory Services responsibilities include inspecting,  
19 monitoring, licensing, registering, and certifying a variety of health and child care facilities;  
20 and

1 WHEREAS, there has emerged a trend in these facilities throughout the state, specifically  
2 DeKalb in the southern and eastern portions of the county; and

3 WHEREAS, personal care homes are defined as a health care facility within the Georgia  
4 Code; and

5 WHEREAS, community living arrangements and child care institutions are not defined as  
6 health care facilities within the Georgia Code; and

7 WHEREAS, the delivery of all community living arrangements would be best served by a  
8 plan that includes best practices in delivering such services in the community; and

9 WHEREAS, the current Code and Regulations relating to all community living services have  
10 been amended numerous times resulting in some provisions of the Code being confused and  
11 inconsistent; and

12 WHEREAS, the Department of Human Resources, the Department of Community Health,  
13 child advocates, senior advocates, mental health advocates, community advocates, county  
14 governments, and state policymakers recognize that our state would be best served by a  
15 comprehensive, research based, best practices model that would govern the delivery of  
16 community living services.

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
18 there is created the House Community Living Services Study Committee to be composed of  
19 the following members:

20 (1) Three members of the House of Representatives to be appointed by the Speaker of  
21 the House, one of whom shall be designated as the cochairperson;

22 (2) A representative from the Association of County Commissioners;

23 (3) A representative from the Georgia Municipal Association;

24 (4) The commissioner of the Department of Human Resources or his or her designee;

25 (5) The commissioner of the Department of Community Health or his or her designee;

26 (6) A representative from the Office of Regulatory Services or his or her designee;

27 (7) A representative from the Georgia Council on Aging;

28 (8) A representative from the Association of Personal Care Homes;

29 (9) A representative from a neighborhood association;

30 (10) A representative from a mental health advocacy group;

31 (11) A representative from a developmental disabilities advocacy group;

1 (12) A representative from an area agency on aging; and

2 (13) Three members appointed by the Governor.

3 The Governor shall also appoint two other persons who shall serve in an advisory capacity  
4 to the committee. Any vacancy on the committee shall be filled by appointment by the  
5 original appointing authority.

6 BE IT FURTHER RESOLVED that the committee shall study the conditions, needs, issues,  
7 and problems of community living services in Georgia. In conducting such study, the  
8 committee shall study community living arrangements in Georgia and other states and shall  
9 elicit views from experts in the field. The committee shall examine recent court decisions  
10 affecting the delivery of community living services and shall determine what revisions to the  
11 Code, if any, are necessary and desirable. The committee shall review the range of services  
12 or sanctions that are needed to best serve the needs of the community, families, and children.  
13 The committee may appoint subcommittees composed of members of this committee as well  
14 as public officials and citizens who have expertise or particular interest in the various areas  
15 of community living services. The committee shall meet for the purpose of organizing and  
16 electing such officers as it deems advisable, determining a quorum, adopting procedures for  
17 operations, and attending to such other matters as it deems appropriate within 45 days of this  
18 resolution becoming law. The date, time, and place of the first meeting shall be determined  
19 by the Governor. The Office of Legislative Counsel shall provide staff to the committee.  
20 The committee may enter into agreements with other state agencies for such additional staff  
21 or support as the committee may determine to be necessary. The committee shall recommend  
22 to the Governor and the General Assembly any action or legislation which the committee  
23 deems necessary or appropriate and shall oversee the implementation of such  
24 recommendations. The legislative members of the committee shall receive the allowances  
25 provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated. All funds  
26 necessary to carry out the provisions of this resolution shall come from funds appropriated  
27 to the House of Representatives. The expenses and allowances authorized by this resolution  
28 shall not be received by any member of the committee for more than five days unless  
29 additional days are authorized as provided by the rules of the House of Representatives. In  
30 the event the committee makes a report of its findings and recommendations, with  
31 suggestions for proposed legislation, if any, such report shall be made on or before December  
32 31, 2005. This resolution shall be repealed on December 31, 2005, and the committee and  
33 all subcommittees of the committee shall stand abolished on December 31, 2005.